

(SM)
1/31/02
LPS

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOHN CHARLES KENNEY, : 1:CV-00-2143

Plaintiff : (Judge McClure)

v. : (Magistrate Judge Blewitt)

JAKE MENDEZ, Warden,
et al., :
Defendants

FILED
WILLIAMSPORT, PA

O R D E R

JAN 31 2002

January 31, 2002

MARY E. D'ANDREA, CLERK
Per *LPS*
DEPUTY CLERK

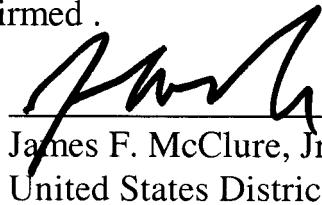
BACKGROUND:

The court has received two documents from plaintiff John Charles Kenney. The first is a letter dated January 22, 2002, together with an attachment which Kenney simply directs that the court read and then file under seal. The second is his brief in support of his appeal from the most recent order of Magistrate Judge Blewitt, once again denying Kenney's request for appointment of counsel. In his brief Kenney asserts that his conduct on November 29, 2001 which has placed him on a "suicide watch" with the Bureau of Prisons and his difficulty understanding discovery rules represent a critical change in circumstances, warranting appointment of counsel.

The court does not view these matters as providing a sufficient basis for the court to attempt to obtain pro bono counsel for Kenney. For all the reasons set forth in this court's order of November 1, 2001, dismissing Kenney's prior appeal from a similar order of Magistrate Judge Blewitt, as well as for the reasons set forth by Magistrate Judge Blewitt in his order of January 4, 2002 now being appealed, the court will dismiss this appeal.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The clerk is directed to file Kenney's letter dated January 22, 2002, together with the attachment, docket the same as correspondence and place the documents under seal.
2. The clerk is directed to provide a copy of the correspondence to Magistrate Judge Blewitt.
2. Kenney's appeal from the decision of Magistrate Judge Blewitt (record document no. 76, filed January 4, 2002) again denying Kenney's request for appointment of counsel, which appeal was filed January 11, 2002, is dismissed, and the action of Magistrate Judge Blewitt denying the renewed motion for appointment of counsel is reaffirmed.



James F. McClure, Jr.
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

January 31, 2002

Re: 1:00-cv-02143 Kenney v. Mendez

True and correct copies of the attached were mailed by the clerk to the following:

John Charles Kenney
USP-ALLENWOOD
Maximum Security Correct. Inst.
05238-041
P.O. Box 3000
White Deer, PA 17887

Joseph J. Terz, Esq.
Office of the US Attorney
316 Federal Building
240 West Third Street
Williamsport, PA 17703

MARY E. D'ANDREA, Clerk

DATE: 1/31/02

BY: J.P.
Deputy Clerk